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PCT #2

MS PCT
PATENT
0760-0338PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: Yoshiyuki HOTTA et al.
INTERNATIONAL APPL. NO.: PCT/JP03/03953
APPL. NO.: 10/509,122
CONF.: Unknown
FILED: September 28, 2004
FOR: METHOD FOR MEASURING TARGET
NUCLEIC ACIDS AND KIT THEREFOR

LETTER SUBMITTING ADDITIONAL DOCUMENTS FOR
ENTERING NATIONAL PHASE FOR A PCT APPLICATION

MS PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 16, 2004

Sir:

Under the provisions of 37 C.F.R. § 1.494 or 37 C.F.R. § 1.495, attached hereto are the following additional items necessary for entering the national phase in connection with the above-identified PCT international application.

DOCUMENTATION

- ☒ Executed Declaration and Power of Attorney
☒ Original ☐ Photocopy
- ☐ The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on September 28, 2004, including any amendments thereto (if applicable) filed on even date therewith.

- ☒ The undersigned hereby declares that "Attorney Docket No. 0760-0338PUS1" on page 1 of the attached inventors' Declaration corresponds to Appl. No. 10/509,122 filed September 28, 2004 entitled "METHOD FOR MEASURING TARGET NUCLEIC ACIDS AND KIT THEREFOR."

- ☐ Attached is a copy of the Notification of Missing Requirements (371 Formalities Letter).

- ☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.
 - ☐ See the attached Translator's Verification; or
 - ☐ The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.

- ☐ Attached are _____ () sheet(s) of formal drawings. Please substitute these corrected drawings for the corresponding _____ () sheets of drawings on file in the above-identified application.

- ☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).

- ☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).

- ☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.

- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

- ☒ Submitted concurrently herewith **under separate cover** for recording is an Assignment.

- ☐ _____

FEES

- ☐ The Government Filing Surcharge for late filing of oath and/or declaration in the amount of \$130.00 in accordance with 37 C.F.R. §§ 1.494 and 1.492 was previously paid for concurrently with the filing of the application on September 28, 2004.
- ☐ The Government Filing Surcharge for late filing of the English translation in the amount of \$0.00 in accordance with 37 C.F.R. § 1.492 was previously paid for concurrently with the filing of the application on .
- ☐ Additional claim fee(s) under 37 C.F.R. § 1.16(b)-(d) in the amount of \$0.00; which have been calculated as follows:

| | CURRENT NUMBER OF CLAIMS | | HIGHEST NUMBER PREVIOUSLY PAID FOR | | PRESENT EXTRA | RATES | ADDITIONAL FEE |
|---|-----------------------------------|---|---|---|------------------|---------------|-------------------|
| TOTAL | | - | 20 | = | 0 | \$18 (large) | \$0.00 |
| INDEPENDENT | | - | 3 | = | 0 | \$88 (large) | \$0.00 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | | | | \$300 (large) | \$0.00 |
| | | | | | | TOTAL | \$0.00 |


- ☒ No extension fee is required because the undersigned has not yet received the Notification of Missing Requirements (Formalities Letter). However, if for some reason it is determined that an extension of time is necessary, applicant hereby respectfully petitions for an extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17.
- ☐ Applicant(s) hereby respectfully petitions for () month(s) extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17. The required fee of \$0.00 is attached hereto.

- ☐ Check(s) in the amount of \$0.00 to cover the above-mentioned fees is/are enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☒ No fee(s) required.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  A42.874
Gerald M. Murphy, Jr., #28,977

GMM/CAM:trb
0760-0338PUS1

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Attachment(s)